

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Jack C. RAINS, Jr., et al.	:	Confirmation Number: 9364
	:	
Application No.: 10/555,094	:	Group Art Unit: 2875
	:	Allowed: October 31, 2008
Filed: November 02, 2005	:	Examiner: A. Ton
	:	
For: PRECISE REPEATABLE SETTING OF COLOR CHARACTERISTICS FOR LIGHTING APPLICATIONS		

SUBMISSION OF SUBSTITUTE DECLARATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

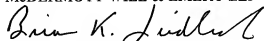
Sir:

An unexecuted copy of a substitute declaration was previously submitted on October 7, 2008. An executed substitute declaration is submitted herewith prior to payment of the issue fee. The executed substitute declaration is the same as the previously submitted unexecuted declaration, but for a correction in the duty of disclosure language in order to comply with the USPTO requirement that became effective for all oaths and declarations filed on or after June 1, 2008. Entry of the executed substitute declaration is respectfully requested. The Examiner is respectfully requested to acknowledge receipt and entry of the executed substitute declaration.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Brian K. Seidleck

Registration No. 51,321

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BKS:apr
Facsimile: 202.756.8087
Date: December 23, 2008

**Please recognize our Customer No. 20277
as our correspondence address.**

SUBSTITUTE DECLARATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled **PRECISE REPEATABLE SETTING OF COLOR CHARACTERISTICS FOR LIGHTING APPLICATIONS**, the specification of which

- ☐ is attached hereto.
☒ was filed on November 02, 2005 as United States Application Number 10/555,094, or PCT International Application Number _____ and was amended on _____ (if applicable), or
☐ is a Continuation-In-Part (CIP) of Application Number, filed

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35, United States Code, Section 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's right certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's, or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications(s):

Number	Country	Day/Month/Year filed	Priority Claimed
PCT/US2005/014107	PCT/WIPO	April 26, 2005	<input checked="" type="checkbox"/>

I hereby claim the benefit under 35 United States Code, Section 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):

Application Number	Filing Date
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I hereby claim the benefit under 35, United States Code, Section 120 of any United States application(s) or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

Application No.
10/832,464

Filing Date
April 27, 2004

Status:
Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Jack C. Rains, Jr.

Inventor's signature: 

Date: 12-16-08

Residence: Oak Hill, VA

Citizenship: USA

Post Office Address: 2946 Timber Wood Way, Oak Hill, VA 20171

Full name of second inventor: Matthew Brown

Inventor's signature:

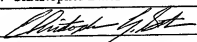
Date:

Residence: Falls Church, VA

Citizenship: USA

Post Office Address: 3132 Chepstow Lane, Falls Church, VA 22042

Full name of third inventor: Christopher Bates

Inventor's signature: 

Date: 12-10-08

Residence: Sioux Falls, SD

Citizenship: USA

Post Office Address: 3903 S. Bedford Avenue, Sioux Falls, SD 57103

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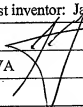
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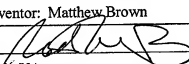
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Citizenship: USA

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Inventor's signature:

Date:

Residence: Sioux Falls, SD

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